

REMARKS

The rejections under 35 U.S.C. 103(a) of :

Claims 1, 5-15 and 23 as unpatentable over US 4,663,377 (Hombach et al) in view of US 6,426,414 (Laas et al) and US 4,687,813 (Lenz et al), and

Claims 1, 5, 6, 8-15 and 22-23 as unpatentable over Hombach et al in view of US 6,472,493 (Huynh-Ba) [and Lenz et al]¹,

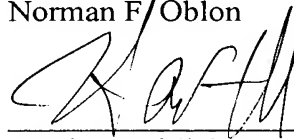
are respectfully traversed.

In addition to the arguments made in the amendment filed October 30, 2007, which arguments are hereby incorporated by reference, Applicants respectfully submit that the newly-submitted Haeberle Declaration successfully addresses any remaining issues of patentability herein. Accordingly, it is respectfully requested that the rejections be withdrawn.

All of the present claims in this application are believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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¹ That Lenz et al is not listed in the statement of the rejection is irrelevant; reliance thereon is all that is necessary. "Where a reference is relied on to support a rejection, whether or not in a 'minor capacity,' there would appear to be no excuse for not positively including the reference in the statement of rejection." *In re Hoch*, 166 USPQ 406, 407 n.3 (CCPA 1970). See also MPEP 706.02(j).